

Legislative Fiscal Bureau

Fiscal Note

HF 2553 - Fourth Amendment Waiver (Probation and Parole) (LSB 5531 HV.1)
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Fiscal Note Version – As Passed by the House
Requested by Senator O. Gene Maddox

Description

House File 2553 as passed by the House provides that the court or Board of Parole may impose, as a condition of probation, parole, or work release, that the offender be subject to search of the person, property, place of residence, vehicle, or personal effects at any time, with or without a search warrant or probable cause, by any peace officer as designated in Chapter 801.4, Code of Iowa. The Bill requires the Board of Parole or the eight Community-Based Corrections (CBC) District Departments to notify local law enforcement and the Iowa Department of Transportation of this condition of parole or probation. The Department of Transportation is required to release the information as provided in Section 321.11, Code of Iowa.

Assumptions

1. The court and Board of Parole have discretion in imposing this condition. There is no readily available information with which to predict the number of offenders on which this new condition may be imposed.
2. There were 2,350 new parole cases, 16,961 new probation cases, and 1,244 new work release cases during FY 2000. Therefore, a maximum of 20,555 offenders annually may be subject to the imposition of this condition.
3. There is no fiscal impact on the Board of Parole, Department of Transportation, or Department of Public Safety.

Correctional Impact

The correctional impact of HF 2553 as passed by the House cannot be determined.

Fiscal Impact

If a significant number of offenders are subjected to this new condition, there will be increased workload for Community-Based Corrections (CBC) staff due to the notification requirements. The impact of HF 2553 as passed by the House cannot be determined since it is not known how many offenders will be subject to this new condition of probation, parole, or work release.

Sources

Board of Parole
Department of Transportation
Department of Public Safety
Department of Corrections
Office of the State Public Defender

/s/ Dennis C Prouty

March 14, 2002

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
